

("Attachment A")

Amendment No. 10

Displaced Worker's Act

New Section H.2-A: A new section H.2-A, set forth below, is added to the solicitation:

H.2-A DISPLACED WORKERS ACT

The Contractor must comply with the District of Columbia Displaced Workers Protection Act of 1994, D.C. Official Code § 32-101 et seq. ("Displaced Workers Act"). Under the Displaced Workers Act, the Contractor must generally retain the prior contractor's food service workers at each school where the Contractor will provide food services. Respondents should review the Displaced Workers Act to determine their specific obligations under the act.

Revised Section H.2: Section H.2 of the solicitation is amended to read as follows;

H.2 SERVICE CONTRACT ACT; DEPARTMENT OF LABOR WAGE AND FRINGE DETERMINATIONS

A contract issued under this solicitation shall be subject to the federal Service Contract Act, 41 U.S.C. § 41-351 et seq. Under the Service Contract Act, the Contractor must pay its service employees working under the contract not less than the monetary wages that the Department of Labor has determined to be prevailing in the locality for the classification in which each employee is working; in addition, the Contractor must provide its service employees working under the contract with the minimum fringe benefits determined by the Department of Labor. (The Department of Labor's current wage rate and fringe benefit determinations are attached to the request for best and final offers.) The Contractor shall be bound by the wage rate and fringe benefit determinations for the term of the contract, subject to the revisions described in this section and in accordance with section 24 of the SCP. If an option to the contract is exercised, the Contractor shall be bound by the applicable wage rate and fringe benefit determinations at the time of the option. If the option is exercised and the CO obtains a revised wage rate and/or fringe benefit determination, the revised wage rate and/or fringe benefit determination shall be applicable for the option periods and the Contractor may be entitled to an equitable adjustment.

In addition, if the Contractor provides services at a school that was, immediately prior to the Contractor's contract, serviced by a workforce covered by a collective bargaining agreement, the Contractor must, for the first year of its contract, pay its service employees at that school the wage rates and fringe benefits that the employees would have been entitled to, including prospective increases, under the predecessor's collective bargaining agreement. This requirement applies irrespective of whether the Contractor's employees were or were not employed by the predecessor contractor.